

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

JOHNATHAN EDWARD BROWN,	:	
	:	
Plaintiff,	:	Case No. 5:24-CV-00146-MTT-AGH
	:	
v.	:	
	:	
Nurse AMANDA, et al.,	:	
	:	
Defendants.	:	

ORDER

Pro se Plaintiff Johnathan Edward Brown, a prisoner at Robert Deyton Detention Facility in Lovejoy, Georgia¹ filed a 42 U.S.C. § 1983 complaint. ECF No. 1. Plaintiff also requested leave to proceed *in forma pauperis*. ECF Nos. 3 and 6. On July 8, 2024, the Court granted Plaintiff's motions to proceed *in forma pauperis* and ordered Plaintiff to pay an initial partial filing fee of \$83.50. ECF No. 7. Plaintiff was given fourteen days to pay. *Id.* He was informed that failure to comply with an order of the court may result in dismissal of his complaint. *Id.* Plaintiff failed to pay the fee. On July 19, 2024, Plaintiff filed a notice of change of address reflecting his transfer from the Butts County Jail to the Robert Deyton Detention Facility. ECF No. 8. On July 22, 2024, the Court's order to pay the initial partial filing fee (ECF No. 7) was then sent to Plaintiff at the Robert Deyton Detention Facility. On July 29, 2024, Plaintiff filed a motion requesting an

¹ Plaintiff was confined at the Butts County Jail in Jackson, Georgia at the time of initiating this civil action. See ECF No. 1.

additional fourteen days to pay the fee. ECF No. 9. More than thirty days later, on September 10, 2024, the Court denied Plaintiff's motion for a fourteen day extension of time as moot since more than fourteen days had passed. ECF No. 12. The Court notified Plaintiff that it had not received the partial initial filing fee and ordered him to show cause within fourteen days why this action should not be dismissed for failure to comply with a Court order. *Id.* The Court again specifically informed Plaintiff that his action could be dismissed if he failed to respond or otherwise pay the fee. *Id.* Plaintiff has failed to respond.

Because Plaintiff has failed to comply with the Court's orders or otherwise prosecute his case, his complaint is **DISMISSED WITHOUT PREJUDICE**. *See* Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

SO ORDERED, this 15th day of October, 2024.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT